JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Dale Weis, Chair; Janet Sayre Hoeft, Vice-Chair; Aari Roberts, Secretary

<u>Public Hearing</u> Begins at **1:00 P.M.** On Thursday, July 11, 2019 in Room 205, Jefferson County Courthouse

<u>CALL TO ORDER FOR BOARD MEMBERS</u> IS AT 10:45 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

<u>SITE INSPECTION FOR BOARD MEMBERS</u> LEAVES AT 11:00 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1.	Call to	Order-Room	203 at	10:45	a.m.
1.	Can to	Oldel-Room	205 at	10.13	a.111.

Meeting called to order @ a.m. by

2. Roll Call (Establish a Quorum)

Members present:

Members absent:

Staff:

3. Certification of Compliance with Open Meetings Law

acknowledged publication. Staff also presented proof of publication.

4. Approval of the Agenda

made motion, seconded by

motion carried on a voice vote to approve the agenda.

5. Approval of June 20, 2019 Meeting Minutes

made motion, seconded by

motion carried on a voice vote to approve meeting minutes.

6. Communications

7. Public Comment

8. Site Inspections – Beginning at 11:00 a.m. and Leaving from Room 203 V1650-19 – Steve and Rachel Weber, W7486 Manske Road, Town of Waterloo V1649-19 – John and Pamela Reich, 398 Sandy Beach Rd, Town of Lake Mills

9. Public Hearing – Beginning at 1:00 p.m. in Room 205

Meeting called to order @ p.m. by

Members present:

Members absent:

Staff:

10. Explanation of Process by Board of Adjustment Chair

The following was read into the record by:

NOTICE OF PUBLIC HEARING JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

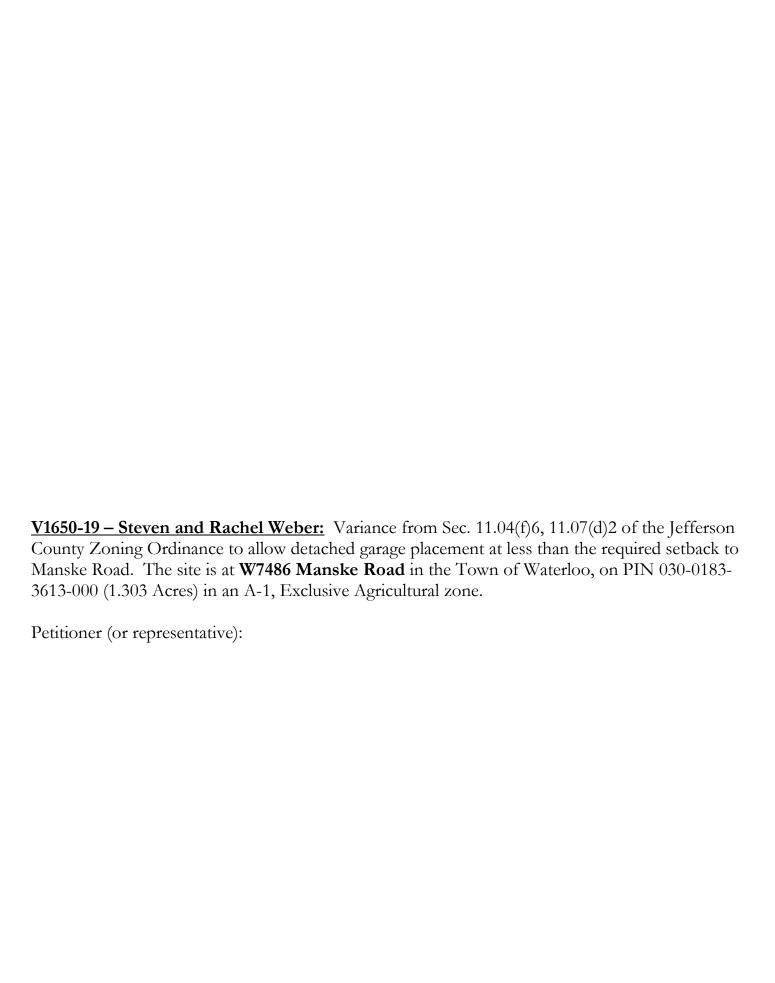
NOTICE IS HEREBY GIVEN that the Jefferson County Zoning Board of Adjustment will conduct a public hearing at 1:00 p.m. on Thursday, July 11, 2019 in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. Matters to be heard are applications for variance from terms of the Jefferson County Zoning Ordinance. An AREA VARIANCE is a modification to a dimensional, physical, locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment. A USE VARIANCE is an authorization by the board of adjustment to allow the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance. No variance may be granted which would have the effect of allowing a use of land or property which would violate state laws or administrative rules. Subject to the above limitations, a petitioner for an AREA VARIANCE bears the burden of proving "unnecessary hardship," by demonstrating that strict compliance with the zoning ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose, or would render conformity with the zoning ordinance unnecessarily burdensome. A petitioner for a USE VARIANCE bears the burden of proving that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. Variances may be granted to allow the spirit of the $C:\Users \\ tammiej\\ App Data\\ Local\\ Microsoft\\ Windows\\ INet Cache\\ Content. Outlook\\ VRM9SMGE\\ July\ 2019. docorder \\ App Data\\ App$

ordinance to be observed, substantial justice to be accomplished and the public interest not violated. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** There may be site inspections prior to public hearing which any interested parties may attend; discussion and possible action may occur after public hearing on the following:

<u>V1649-19 – John and Pamela Reich:</u> Variance from Sec. 11.04(f)1, 11.07(d)2, 11.09, 11.10(f)1 and 11.10(k) of the Jefferson County Zoning Ordinance to allow reconstruction of an existing non-conforming home while maintaining the existing 33-foot setback to the ordinary high water mark. The site is in the Town of Lake Mills on PIN 018-0713-2321-017 (0.28 Acre), and located at **398 Sandy Beach Road** in a Residential R-1 zone.

Sandy Beach Road in a Residential R-1 zone.					
Petitioner (or representative):					
In favor:					
Opposed:					

Town response:			
Staff report:			
Board questions:			



In favor:		
Opposed:		
Town response:		
Staff report:		

D 1		
Board questions:		
11. Discussion and Pos	sible Action on Above Petitions	(see following pages & files)
12. Adjourn		
	made motion, seconde	ed by
motion carried		p.m.
		contact the Zoning Department at d on this hearing notice may be

viewed at the Jefferson County Courthouse in Room 201 between the hours of 8:00 a.m. and

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4:30 p.m. Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

JEFFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

Additional information on Zoning can be found at www.jeffersoncountywi.gov	

Date

Secretary

DECISION OF THE ZONING BOARD OF ADJUSTMENT JEFFERSON COUNTY, WISCONSIN

FINDINGS OF FACT

PETITION NO.:	2019 V1649	
HEARING DATE:		
APPLICANT:	John A & Pamela J Reich	
PROPERTY OWNER:	SAME	
	018-0713-2321-017 (398 Sandy Beach	
` ,	`	,
TOWNSHIP:	Lake Mills	
INTENT OF PETITION	IER:	
	UESTS A VARIANCE FROM SECTION _ ZONING ORDINANCE.	OF THE
	IE PROPOSED CONSTRUCTION AND AL OF THE VARIANCE APPLICATION	
FACTS OR OBSERVATION	ONS BASED ON SITE INSPECTIONS:_	Site inspections
conducted. Observ	ved property layout & location.	
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FACIS PRESENTED AT	T PUBLIC HEARING: See tape, m	mutes & me.

DECISION STANDARDS

Α.	NO VARIANCE MAY BE GRANTED WHICH WOULD HA LAND OR PROPERTY WHICH WOULD VIOLATE STATE		
В.	SUBJECT TO THE ABOVE LIMITATIONS, AREA VARIAN COMPLIANCE WITH THE ZONING ORDINANCE RESUMHICH WOULD UNREASONABLY PREVENT THE PETFOR A PERMITTED PURPOSE, OR WOULD RENDER COORDINANCE UNNECESSARILY BURDENSOME, AND WORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTIC PUBLIC INTEREST NOT VIOLATED.	ILTS IN AN UN ITIONER FRO ONFORMITY V VILL ALLOW T	NNECESSARY HARDSHIP OM USING THE PROPERTY WITH THE ZONING THE SPIRIT OF THE
С.	SUBJECT TO THE ABOVE LIMITATIONS, USE VARIANC COMPLIANCE WITH THE ZONING ORDINANCE WOU NO REASONABLE USE OF THE PROPERTY IN THE AB THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, ACCOMPLISHED, AND THE PUBLIC INTEREST NOT V	LD LEAVE TH SENCE OF A V SUBSTANTIAL	E PROPERTY OWNER WITH ARIANCE AND WILL ALLOW
	BASED ON THE FINDINGS OF FACT, THE BOARD CON	ICLUDES THA	AT:
1.	I. UNNECESSARY HARDSHIP IS/IS NOT PRESENT IN THE TERMS OF THE ZONING ORDINANCE WOULD/WOULD OWNER FROM USING THE PROPERTY FOR A PERMIT CONFORMITY WITH SUCH RESTRICTIONS UNNECES OR STRICT COMPLIANCE WITH THE ZONING ORDIN OWNER WITH NO REASONABLE USE OF THE PROPER	<mark>.D NOT</mark> UNRE TED PURPOSI SARILY BURD IANCE WOULI	ASONABLY PREVENT THE E OR WOULD RENDER ENSOME (AREA VARIANCE) D LEAVE THE PROPERTY
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2.	2. THE HARDSHIP OR NO REASONABLE USE IS/IS NOT OF THE PROPERTY RATHER THAN THE CIRCUMSTAN		
3.	3. THE VARIANCE WILL/WILL NOT BE CONTRARY TO T THE PURPOSE AND INTENT OF THE ZONING ORDIN		
A VA	ARIANCE MAY BE GRANTED IF ALL THESE CONDITION	S ARE MET	
DECIS	CISION: THE REQUESTED VARIANCE IS GRANTED/DEN	ED.	
MOTI	TION: SECOND:	VOTE:	(voice vote)
CONI	NDITIONS OF APPROVAL/DENIAL:		
SIGNI	NED:CHAIRPERSON	DATE:	07-11-2019

BOARD DECISIONS MAY BE APPEALED TO CIRCUIT COURT. AUDIO RECORD OF THESE PROCEEDINGS IS AVAILABLE UPON REQUEST.

DECISION OF THE ZONING BOARD OF ADJUSTMENT JEFFERSON COUNTY, WISCONSIN

FINDINGS OF FACT

PETITION NO.:	2019 V1650		
HEARING DATE:			
APPLICANT:	Steven J Weber		
PROPERTY OWNER:	Steven J & Rachel J Wel	ber	
PARCEL (PIN) #:	030-0813-3613-000	(W7486 Manske Road	
TOWNSHIP:	Waterloo		
INTENT OF PETITION	JER:		
	UESTS A VARIANCE FRO ZONING ORDINANCE.	OM SECTION OF THE	
	HE PROPOSED CONSTR AL OF THE VARIANCE	RUCTION AND PROPERTY WHICH RELATE TAPPLICATION ARE:	ГΟ
		NSPECTIONS: Site inspections	
conducted. Observ	ved property layout & locat	tion.	
FACTS PRESENTED AT	T PUBLIC HEARING:	See tape, minutes & file.	

DECISION STANDARDS

Α.	NO VARIANCE MAY BE GRANTED WHICH WOULD I LAND OR PROPERTY WHICH WOULD VIOLATE STA			i
В.	SUBJECT TO THE ABOVE LIMITATIONS, AREA VARI COMPLIANCE WITH THE ZONING ORDINANCE RE WHICH WOULD UNREASONABLY PREVENT THE PI FOR A PERMITTED PURPOSE, OR WOULD RENDER ORDINANCE UNNECESSARILY BURDENSOME, ANI ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUST PUBLIC INTEREST NOT VIOLATED.	SULTS IN AN U ETITIONER FR CONFORMITY WILL ALLOW	NNECESSARY HARDSHIP OM USING THE PROPERTY WITH THE ZONING THE SPIRIT OF THE	
С.	SUBJECT TO THE ABOVE LIMITATIONS, USE VARIAL COMPLIANCE WITH THE ZONING ORDINANCE WO NO REASONABLE USE OF THE PROPERTY IN THE THE SPIRIT OF THE ORDINANCE TO BE OBSERVED ACCOMPLISHED, AND THE PUBLIC INTEREST NOT	OULD LEAVE T ABSENCE OF A D, SUBSTANTIA	HE PROPERTY OWNER WITH VARIANCE AND WILL ALLOV	
	BASED ON THE FINDINGS OF FACT, THE BOARD C	ONCLUDES TH	AT:	
4.	. UNNECESSARY HARDSHIP IS/IS NOT PRESENT IN TERMS OF THE ZONING ORDINANCE WOULD/WO OWNER FROM USING THE PROPERTY FOR A PERM CONFORMITY WITH SUCH RESTRICTIONS UNNEC OR STRICT COMPLIANCE WITH THE ZONING ORE OWNER WITH NO REASONABLE USE OF THE PROPERTY OF T	<mark>ULD NOT</mark> UNR ITTED PURPOS ESSARILY BURI INANCE WOUI	EASONABLY PREVENT THE SE OR WOULD RENDER DENSOME (AREA VARIANCE) LD LEAVE THE PROPERTY	
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5.	. THE HARDSHIP OR NO REASONABLE USE IS/IS NO OF THE PROPERTY RATHER THAN THE CIRCUMST			s
6.	THE VARIANCE WILL/WILL NOT BE CONTRARY TO THE PURPOSE AND INTENT OF THE ZONING ORD			
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A VA	ARIANCE MAY BE GRANTED IF ALL THESE CONDITION	ONS ARE MET		
DECIS	ISION: THE REQUESTED VARIANCE IS GRANTED/DE	NIED.		
MOTI	TION: SECOND:	VOTE:	(voice vote)	
CONI	IDITIONS OF APPROVAL/DENIAL:			
SIGNI	NED:CHAIRPERSON	DATE:	07-11-2019	

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